

RECEIVED
CENTRAL FAX CENTER

AUG 15 2005

#355812

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Oscar D. Sandlin et al.)
Serial No. 10/656,553)
Filed September 6, 2003)
LONG-LASTING SCENTED PAINT AND)
METHOD FOR MAKING SAME)

DECLARATION OF BRIAN D. IRWIN

1. I herewith state, my name is Brian D. Irwin.
2. I am a Maintenance Supervisor for The Grande Reserve at Geist located at 8019 Glenway Drive, Indianapolis, Indiana 46236.
3. In March 2001, Unit 1601 in The Grande Reserve was vacated by the prior tenants.
4. In accordance with our standard practice, our company painter, Bill Oltman was hired to paint Unit 1601 in April 2001 before new tenants could move into the unit. He was paid for the painting.
5. The unit was heavy with cigarette smoke which we could not eliminate.
6. Mr. Oltman indicated after he painted Unit 1601 and with the smell still existing in the Unit that he was experimenting with a different paint that would provide a scent.
7. Approximately one week after Mr. Oltman painted Unit 1601, he then repainted the walls of Unit 1601 with his scented paint with the result that the cigarette smell in Unit 1601 permanently disappeared.
8. I was not aware of how the scented paint was made by Mr. Oltman.

I, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of any trademark application or any trademark registration issued thereon.

Dated:

8/11/05
AUG 11, 2005
Brian D. Irwin